

1964

CONGRESSIONAL RECORD — HOUSE

7421

liquidation of the coal industry would be an economic catastrophe.

The industrial federation built around coal is important to America. To argue, as Mr. Wright has done, that it should be dealt a damaging blow in order to increase the power of a foreign nation to buy more goods from other foreign nations—not from American manufacturers—it must be emphasized, but from foreign manufacturers—is irresponsible and against the best interests of the domestic fuels industries. His whole argument is ridiculous on its face and I am confident that simple justice dictates that it will be rejected by all concerned with the American economy.

GOOD NEIGHBOR BOWLING

(Mr. GONZALEZ (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, on April 4, in my home city of San Antonio, I had the pleasure of addressing a unique organization known as the Good Neighbor Bowling League.

Patric McDonald, presently the league's president, had a heart to heart talk a few months back with Lin Waugh, Bowlerland manager, about crises in the Americas.

Their conversation went something like this:

More cultural and athletic exchanges would help the Americas understand each other better. Let's do something more than talk about it.

And, there you have the beginning of the Good Neighbor Bowling Tournament.

The tournament will be held in Monterrey, Mexico, June 19-21. Sixteen Texas teams will play 16 Mexican teams under the banner of good neighbor. Of the 32 teams, the first 5 will be awarded trophies.

When I addressed this group, April 4, the occasion was the sponsors' banquet for the tournament. I would like to salute and commend the following San Antonio businesses for contributing to a worthy venture in fostering better relations among the Americas. They are: Dellmar Southside, McDonald's Paper Specialties, Leopold Drug, Wright's Sporting Goods Co., Dellmar Northside, Door Unit Mfg. Corp., Blue Bonnet Hotel, Gwyn Pharmacy, San Antonio Drug Co., the Gunter Hotel, Blanco Pharmacies, Hemphill-McCombs Ford, Berns Department Stores, Bowlerland, Cartwright Printing and Litho, and the Bowling Pro Shop.

I would like to especially commend Mr. McDonald and other members of Good Neighbor Bowling in San Antonio such as Jean Haase have made plans for the bowling tournament in Mexico, which will be one more good way to further unify the Americas.

OTTO F. OTEPKA

The SPEAKER. Under previous order of the House, the gentleman from Iowa [Mr. BROMWELL] is recognized for 20 minutes.

Mr. BROMWELL. Mr. Speaker, those of us concerned with the status of the Congress of the United States as an instrument of representative government in an embattled world must continue and intensify our concern over the case of Otto F. Otepka.

It should be mentioned in passing that as the executive department of the Government has grown in size and power a new but incomplete axiom of political conduct has been suggested: The abuse of executive privilege grows proportionally to the size of the executive branch. Whether that growth has been arithmetic or geometric should be discovered quickly.

Be that as it may, Mr. Otto F. Otepka, as you know, is a former State Department security evaluator who has been removed from his position following what, from published accounts, was simply decent and wholesome cooperation with a committee of the other body, the Internal Security Subcommittee.

His transfer to a make-work job—and bear in mind that Otto F. Otepka in 1958 received the State Department's Distinguished Service Award for his outstanding work—would be serious enough and just cause for concern, but there has been considerable fallout from the series of events leading up to Mr. Otepka's transfer that justifies the full consideration of the House. According to published reports the situation is briefly this: While engaged as a State Department security evaluator, Mr. Otepka was responsible for producing important evidence implicating some high foreign service personnel in questionable actions that were considered helpful in putting Castro in power in Cuba. In addition to this Mr. Otepka stood in the way of a number of proposals to revise and relax security standards in the Department of State. Purportedly he furnished the Senate Internal Security Subcommittee some three personnel file documents in support of the statements which he had made to the committee. He also cooperated by suggesting some questions for committee counsel to ask of his superiors in order that the truth might be more fully developed.

There has been no claim made against Mr. Otepka that national security was violated in any respect. When he cooperated with Congress, however, his troubles started.

After this happened he was offered a transfer. He refused this because he had been in security work for more than 10 years, and liked the work. Last June he was ordered to move to another office—the make-work job—denied access to his files, denied the assistance of a secretary except for specific jobs, and this was done through the office of the Assistant Secretary of State, John F. Reilly.

Now who is Assistant Secretary Reilly? He is one who, with Elmer D. Hill, intercepted the telephone calls of Mr. Otepka by means of an unauthorized wiretap or listening device, with the knowledge of Mr. David Belisle. In July and August of last year, Assistant Secretary Reilly, Mr. Belisle, and Mr. Hill denied to the Internal Security Subcommittee under oath any knowledge that any wiretap or

listening device had been attached to Mr. Otepka's telephone.

Later on Assistant Secretary Reilly and Mr. Hill admitted recording Mr. Otepka's calls and Mr. Belisle admitted knowledge of it. Thereafter, Assistant Secretary Reilly and Mr. Hill were asked to resign their positions. Mr. Belisle remains in his position.

Meanwhile what has become of Mr. Otepka since last June? He has remained in the State Department at work which denies him the full exercise of his skills.

However, spreading out of this change in assignment like a miserable fog have been a series of other circumstances which should be equally distressing to the House. Six men who continued to associate with him have been transferred and their clearance to handle security matters has been removed. He has been ostracized from State Department social life by an atmosphere that has made his old friends reluctant to have any but the most formal contact with him. He suspects, and with some reason, that his telephone has been tapped. At the State Department his old associates shun him—some have called him at home. When he was given the job of sorting old security files two persons were assigned to sit in his office and supervise him and he was forbidden to take notes on the work he was doing. When he insisted on taking notes the project was terminated and the files were removed from his office.

This I think all Members will agree, Mr. Speaker, is a strange circumstance for one to find himself in who is guilty of no wrongdoing, who has conveyed no inaccurate information.

Now what of the six men who were recently transferred from the Office of Security to posts as administrative officers in the Bureau of Inter-American Affairs, ostensibly because of their association with Mr. Otepka? Three of them, Mr. Harry M. Hite, Mr. John R. Norpel, Jr., and Mr. Edwin A. Burkhardt, have filed petitions with the Civil Service Commission charging that they have been removed from their assignments because they supported Mr. Otepka. All three of these men contend that the transfers constituted a reduction in rank within the meaning of the Civil Service Act. Mr. Hite is a lawyer who has been in Government service for more than 10 years. Mr. Norpel is a former agent of the Federal Bureau of Investigation with 17 years of experience in Government. Mr. Burkhardt is an experienced civil servant. All three of these men claim that they have direct knowledge of a plot to frame Mr. Otepka and then to have him fired.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROMWELL. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I commend my colleague from Iowa for bringing this incredible situation, with respect to Mr. Otto Otepka, to the attention of the House. As the gentleman from Iowa well knows, I have been interested in this matter for some time. I am delighted that he is today having something more

to say about it and again calling it to the attention of the House.

It would be my hope that unless some agency of Government takes action to protect these gentlemen, that the House Committee on Post Office and Civil Service, of which I am a member, would forget about pay increase legislation for a few hours or a few days and take some interest in what is being done by way of abrogating the protection of individuals through the civil service laws.

Again it is incredible that these six men, these six evaluators—and as I understand it, all of them have excellent records and all have had excellent records in the past and have today—have been transferred out of their jobs and sent into other fields of endeavor for which they may or may not be qualified. We talk today about increasing pay for the purpose of obtaining honest and efficient personnel in Government. Then we take six experienced evaluators and practically ride them out of their jobs because they are trying to do honest and efficient work in Government.

Again I commend the gentleman from Iowa, and I ask permission at this point, Mr. Speaker, to insert in the Record as a part of my remarks the letters from Mr. Harry M. Hite and Mr. John R. Norpel, Jr., to Mr. Stephen L. Elliott, chief of the Appeals Examining Office of the U.S. Civil Service Commission.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The letters referred to are as follows:

VIENNA, VA.,
April 6, 1964.

Mr. STEPHEN L. ELLIOTT,
Chief, Appeals Examining Office, U.S. Civil
Service Commission, Washington, D.C.

DEAR SIR: Pursuant to section 752, civil service rules and regulations, I hereby appeal my reassignment by the Department of State from the position of personnel security specialist, GS-0080-13, Division of Evaluations, Special Review Branch, Office of Security, Deputy Under Secretary of Administration, to administrative officer, GS-0301-13, Bureau of Inter-American Affairs, Office of Assistant Secretary.

On information and belief, this action constitutes a reduction in rank within the meaning of the Veterans' Preference Act of 1944, as amended. This action was effective on March 15, 1964. There has been issued to me form DS-1032, signed by Earl D. Sohn on March 18, 1964, which I received on March 23, 1964. As a consequence, I have been assigned to duties which resulted in a lowering of my relative standing in the Department's organizational structure.

Before describing specific grounds for my appeal, a general statement concerning my personal history is in order.

In August 1954, after several years of employment with the U.S. Civil Service Commission and the Internal Revenue Service, I was hired as a security officer by the Department of State. During this same period, I was attending law school and I received my law degree in 1955. I left the Department in 1957 to join the Office of Civil Defense where I continued as a security officer. In August 1960 I returned to the Department of State as a personnel security specialist and was employed in that capacity until the Department's action on March 15, 1964.

My efficiency ratings during my Government service have always been satisfactory or better. For example, for the period 1954-55, representing my first period of employment with the Department of State, my

supervisor wrote: "During almost all of the rating period Mr. Hite has been detailed to the security review section where his duties have involved writing summaries and analyses in difficult and involved cases of employees and applicants which, because of serious derogatory information contained therein, require adjudication under section 4 or 5 of E.O. 10450. Mr. Hite has performed his duties in this connection in a highly satisfactory manner. He has shown a very good ability to read and assimilate a complicated set of facts and to extract and effectively write up the pertinent and necessary parts. He has exhibited an ability to analyze involved cases and mature judgment in his analyses and recommendations."

In 1957, another supervisor wrote, "His knowledge and understanding of security criteria of the Department and his ability to apply these criteria in preparation of analytical summaries and in making final security determinations are unsurpassed among those of like assignment. Mr. Hite has consistently demonstrated superior judgment, excellent writing ability and a keen awareness of current development in matters pertaining to the security field."

In recommending my promotion in 1959, the Director of the Office of Security and Inspection, Office of Civil Defense, wrote, "As a security officer he has evaluated and made final recommendations in involved and delicate security cases covering all aspects of the applicable laws and Executive orders. His work has never needed revision. He has handled cases of alleged fraud against the Government involving hundreds of thousands of dollars and other matters, including alleged unethical employment practices. His reports are always so well written that they are ready for presentation to the Director, OCSM, without revision."

In February 1961, Mr. Otto F. Otepka, then Deputy Director, Office of Security, Department of State, in commenting on my work for him, stated, "I can only comment in terms of highest praise for Mr. Hite's ability as an evaluator. He has a great depth of perception and expresses himself clearly and succinctly in writing. I am particularly impressed also with his knowledge of ideological movements so that he can and does relate that information which is material to the case in its proper perspective."

Mr. Raymond Loughton, Chief, Special Review Branch, Division of Evaluations, wrote in October 1962: "Mr. Hite is a superior analyst. His work is always a precise and finished product. His prior experience in the Department and background in related cases plus his ability has prompted the assignment to him of many high complexity cases. He has evaluated all types of cases in SY. He understands thoroughly the regulations, policies and procedures related to the work, and completes his assignments on his own initiative. His methodical approach and objectivity, along with his experience, has given him valuable confidence and reserve—Mr. Hite is a dedicated security officer, very loyal and deeply interested in the security field. He is ideally suited to this difficult assignment and deserves special recognition for consistently turning out superior evaluations."

In writing my efficiency report in October 1963, Mr. Loughton said, "For most of the rating period he has been assigned the review of three highly complex employee cases, and intermittently, the evaluation of a number of complex, high priority Presidential appointment cases, all of which he has handled in superior fashion, with a minimum of supervision. Mr. Hite is a professional evaluator. He is deeply interested in his work and understands thoroughly the many facets of it. He studies avidly not only developments in the security field but in all the related fields: National policy, congressional, judiciary, and foreign relations. Associates seek his advice and his opinions are re-

spected. Both he and the Department would benefit by his advancement."

Events which have occurred in the Department of State in the past several years cause me to base my appeal from the Department's reassignment on the following grounds:

1. I am one of the original members of a staff organized in May 1961 as a result of a directive approved by Mr. Roger Jones, then Deputy Under Secretary of State for Administration. The mission of this staff was to reexamine the security files of all employees of the Department to assure that no employee of the Department on whom there was seriously questionable information was then, or would be in the future, assigned to a policy-making or policy-influencing position relating to the national security. This group, consisting of six officers, was placed under the immediate supervision of Otto F. Otepka, then Deputy Director of the Office of Security. This operation was suspended in January 1962 and has not been resumed. The suspension of activities coincided with a reduction in force action which displaced Mr. Otepka to the position of Chief of the Division of Evaluations.

2. Following the appointment of John F. Reilly as Deputy Assistant Secretary for Security in about April 1962, the following events occurred:

(a) Mr. Otepka was placed under surveillance by Mr. Reilly and subsequently at the instigation of Reilly was detailed from his position as Chief of the Evaluations Division without adequate explanation to him and assigned to nonsupervisory duties, deprived of the services of a secretary, denied access to all pertinent correspondence and other documents relating to personnel security, precluded from entering the Division of Evaluations where I have been employed, and forbidden to discuss personnel security cases with me.

(b) Simultaneously with the detail of Mr. Otepka, John R. Norpel and Billy N. Hughes, both original members of the special group formed in May 1961, were reassigned from their positions as evaluators to duties of a routine investigatory nature. Subsequently, Mr. Hughes was compelled to accept a position as an investigator at Memphis, Tenn., without regard to his capabilities to perform the higher skilled functions as an evaluator.

(c) Mr. Otepka was charged on September 23, 1963, with "conduct unbecoming an officer" in that he allegedly furnished classified information to the U.S. Senate. He was also charged with certain other violations of departmental regulations.

3. A total of six persons, including myself, was reassigned to the Bureau of Inter-American Affairs effective March 15, 1964. Four of these, including myself, were members of the special group formed in May 1961. All four persons had been selected by Mr. Otepka. All have expressed their strong convictions concerning Mr. Otepka's innocence of the wrongdoings with which he has been charged. The two other persons reassigned, though not members of the 1961 group, have staunchly supported Mr. Otepka in his present difficulties.

4. I have been informed that Mr. Raymond Laugel, who held the interim appointment of Deputy Assistant Secretary for Security, and Mr. David I. Bellis, who was brought into the Department by John F. Reilly to supervise personnel security operations as the intended replacement for Mr. Otepka, personally selected the six individuals for reassignment to the Bureau of Inter-American Affairs. Mr. Laugel is a Foreign Service officer, who is unfamiliar with the civil service merit system, and who prefers the Foreign Service system over the civil service. Mr. Bellis's Government career has been almost entirely in the excepted service. I also have been informed that two additional members of the Division of

1964

CONGRESSIONAL RECORD — HOUSE

7423

Evaluations were also considered for reassignment by Mr. Laugel. Neither is a member of the Foreign Service. Neither is a known supporter of Mr. Otepka. According to my information and belief, Mr. Belisle vetoed their reassignment out of the Office of Security. The reassignment of the six persons, therefore, was confined only to members of the civil service who were supporters of Mr. Otepka.

Moreover, three members of the Evaluations Division were initially made intimately familiar with the nature of the work to which I have now been assigned in the Bureau of Inter-American Affairs. These persons are Frederick W. Traband, Joseph C. Sabin, and Norman R. Doe. This work commenced in about April 1963 within the Division of Evaluations and the cases involved were assigned to the foregoing persons. These persons were fully informed concerning the implementation of this program. None is a known supporter of Mr. Otepka. No explanation was given me why these persons were not included in the reassignment to the Bureau of Inter-American Affairs.

Furthermore, the work to which I have been reassigned was rejected by the Office of Security in 1962 on grounds that it was political in nature and not related to personnel security. Additionally, in January 1964, high level officials of the Department expressed doubts that the Office of Security was adequately staffed to carry out the project for the Bureau of Inter-American Affairs.

5. I intend to appear as a friendly witness for Mr. Otepka at his forthcoming hearing in the Department, if such a hearing is held. Messrs. Raymond Loughton, John R. Norpel, and Billy N. Hughes, all of whom have also now been reassigned from the Division of Evaluations, also intend to appear as friendly witnesses for Mr. Otepka. These witnesses shall endeavor to assist Mr. Otepka in establishing not only that the charges against him are without basis, but that the charge regarding his alleged clipping of documents is spurious and that the evidence was fabricated solely to harm Mr. Otepka. I am aware that Mr. Otepka intends to show that certain individuals who were qualified to perform the work involved in my present assignment, but who in fact were not reassigned, participated in the fabrication of the evidence used against him.

6. During the appraisal of the Department's personnel security program by Civil Service Commission Security Appraisal Officers from approximately March to July 1963, I cooperated fully with those officers. I identified and described shortcomings and deficiencies in the program. I understand that Messrs. Reilly and Belisle did not approve of my comments. In fact, I know that Mr. Reilly withheld derogatory information from personnel security files and refused to furnish the nature of this information to the Civil Service Appraisal Officers.

7. I appeared as a witness with the Department's permission before a closed session of the U.S. Senate Internal Security Subcommittee. I responded to the committee's questions truthfully and honestly. I identified and described to the committee specific instances of shortcomings and deficiencies in the Department's personnel security program. My statements were in opposition to changes instituted by Messrs. Reilly and Belisle, which according to my professional experience I felt were not in keeping with the intent of Executive Order 10450 and laws passed by Congress prescribing an effective security program. In fact, my testimony supported that of Mr. Otepka on prior occasions. I am aware that Mr. Reilly gave testimony inconsistent with that of Mr. Otepka and that when Mr. Otepka substantiated the validity of his own

testimony he was subjected to reprisals and unwarranted criticism by Mr. Reilly. Additionally, in response to committee questions, I testified concerning certain substantive and procedural questions in the case of William Arthur Wieland, which I had coevaluated with Mr. Otepka. It is my assumption that my testimony contradicted that of Mr. Reilly on the same case. In accordance with the usual practice, a transcript was made available to the Department.

8. Prior to the public disclosure that Mr. Reilly had recanted his testimony that he did not have Mr. Otepka's telephone tapped, I had knowledge that Mr. Reilly had instituted telephone surveillance measures against Mr. Otepka and I discussed this knowledge with my associates in the Office of Security. I am certain that my comments about Mr. Reilly's improprieties were made known to him and to Mr. Belisle.

9. In the course of investigations conducted by the Federal Bureau of Investigation relative to the Otepka case, I was interrogated by special agents of the FBI. I believe this was at the instigation of Mr. Reilly who apparently suspected that I had cooperated with Mr. Otepka in presenting his defense before the Internal Security Subcommittee. In the course of these FBI interrogations, I criticized Mr. Reilly's tactics and also informed the FBI of my views concerning the handling of certain personnel security cases by the Department, and about deficiencies in security procedures. I staunchly defended Mr. Otepka to the FBI. I am certain that my statements to the FBI were made available to Mr. Reilly and to Mr. Belisle.

10. Prior to my present reassignment I was questioned at considerable length by Ambassador Wilson Flake and George W. French. These two officers were appointed recently to investigate wiretapping practices of the Department and other aspects of the Department's security program. I asserted that certain changes in security practices instituted by Messrs. Reilly and Belisle were detrimental to the best interests of security. I also defended Mr. Otepka. Since my reassignment I have been questioned on two occasions by Mr. French, first alone, and then in the presence of William J. Crockett, Deputy Under Secretary for Administration, and Mr. Bernard Rosen, director of personnel, relative to my criticism of security practices followed by David I. Belisle.

11. In my letter to the Commission of March 27, 1964, I discussed the circumstances of my reassignment. In particular I discussed by interview with Mr. John W. Drew of the Department's Personnel Office, on March 11, 1964, at which time Mr. Powhatan Baber, Deputy Executive Director, Bureau of Inter-American Affairs, was also present. I related that Mr. Drew had told me that the decision to reassign me had been made on a high level in the Department; further, Mr. Drew said he would reassign me regardless of my wishes in the matter. He further admonished me to discuss the nature of the work I was to be assigned with no one, owing to its "politically sensitive nature." Mr. Drew also said at that time that I would remain in the 0080 classification series, though the DS-1032 he later provided me placed me in the 0301 classification series. Upon my reassignment, I was required to relinquish my security officer credentials. These credentials were returned to me as a "souvenir" with a cancellation stamp on their face. Since reporting to my new assignment on March 16, 1964, I have received no definite work assignment and no position description has been provided. Mr. Raymond Loughton, my present supervisor, has admitted to me that the only functions he now has to assign to me are clerical in nature.

12. Since my reassignment I have been made aware of comments of some former

associates in the Office of Security that I was reassigned because I "carried the torch" too far and too long for Mr. Otepka. Others have been heard to comment that I was transferred because I was critical of personnel security practices in the Department.

I have been made aware of the information that Mr. G. Marvin Gentile, recently appointed as Deputy Assistant Secretary for Security, although he had no part in the transfer of the six men, and despite his need for professional evaluators on complex security cases, would not ask for the return of the six men because he wished to start with an organization free of controversial persons. I am further informed that persons unskilled in personnel security evaluations have temporarily filled the positions vacated in the Office of Security by the reassignment of the six men, and that Mr. Gentile intends permanently to fill these positions from among the ranks of investigators, many of whom have had no pertinent evaluations experience.

In summary, I respectfully submit that the action taken against me was not for such cause as would promote the efficiency of the service. In effect, it removed me without adequate notice or explanation from my chosen career as a personnel security officer, to another position classified in an entirely unrelated and unspecialized field. This action originated with Mr. John F. Reilly and Mr. David I. Belisle and is in reprisal for my honest dissent and because of my close association with, and defense of, Mr. Otto F. Otepka. It is evident that Messrs. Reilly and Belisle are unworthy of belief because a congressional committee established the falsity of their statements under oath before that committee on matters relating to personnel security administration.

Mr. Reilly was required to resign because he lost the confidence of his superiors. Due to the continued presence of Mr. Belisle in a ranking position in the Office of Security, it is my belief that he has influenced my reassignment from the Department's personnel security program.

The action removing me from the personnel security program contrary to my own desires and motivations has subjected me to scorn and ridicule among my Government-wide acquaintances in the personnel security field, thereby tending to degrade and humiliate me. Moreover, it has caused embarrassment and anguish on the part of members of my family.

The publicized shocking indiscretions of Messrs. Reilly and Belisle have rendered a disservice to the integrity of the Government security program. My associates in the security community are now even more alarmed to learn that I have been victimized by the "guilt by association" concept that the Department openly has professed to oppose. Furthermore, this action contravenes the principles of the Federal civil service merit system. It has resulted in the lowering of morale of dedicated civil servants who subscribe to the "Code of Ethics for Government Service," expressed in the House concurrent resolution of July 1958, later promulgated by the U.S. Civil Service Commission in Department of State Circular 982 on December 2, 1958.

It is requested that the Civil Service Commission take the necessary steps to fully investigate this matter and direct that I be restored to my position as personal security specialist, GS-0080-13, Office of Security.

Very respectfully,

HARRY M. HITE.

ALEXANDRIA, VA.,

April 6, 1964.

APPEALS EXAMINING OFFICE,
U.S. Civil Service Commission,
Washington, D.C.

(Attention: Mr. Stephen L. Elliott.)

DEAR SIR: In furtherance of my letter dated March 27, 1964, and your acknowledgement dated March 31, 1964, I hereby appeal from

my reassignment by the Department of State to the position of administrative officer, GS-0301-13, Bureau of Inter-American Affairs, Office of Assistant Secretary. I was reassigned from the position of personnel security specialist, GS-0080-13, Division of Evaluations, Special Review Branch, Office of Security, Deputy Under Secretary for Administration. This appeal is submitted in accordance with section 752, subchapter B, Federal Personnel Manual.

Form BS-1032 (notification of personnel action) was personally delivered to me by John W. Drew of the Office of Personnel. The effective date of the reassignment was shown to be March 15, 1964, and it was authenticated by Earl L. Sohm on March 18, 1964. The effect of this action was assignment to a position and duties which resulted in a lowering of my relative standing in the organizational structure of the Department of State.

On information and belief, this reassignment resulted in a reduction in rank precluded by the intent and meaning of the Veterans' Preference Act of 1944, as amended. A summary concerning my background is in order prior to setting forth the specific bases for this appeal.

I have a total of almost 17 years employment with the Federal Government in the personnel, security, and related management fields. In June 1949, I received a bachelor of arts degree from LaSalle College in Philadelphia, Pa., and entered the School of Law of Temple University, Philadelphia, the same year. From 1947 to 1950 I was also employed as instructor by the Philadelphia Board of Education. In April 1951, I accepted the position of special agent in the Federal Bureau of Investigation.

Over 90 percent of my service in the Federal Bureau of Investigation related to the investigation, supervision, and administration of laws enacted for the preservation of our national security. In nine occasions between August 30, 1954, and November 19, 1958, J. Edgar Hoover, Director of the Federal Bureau of Investigation, personally commended my efforts in conducting and directing investigations involving the protection of the United States from the enemies within and without. On March 17, 1958, he presented me with a \$150 award for supervision which attained successful results in three extremely delicate undertakings of considerable importance in the security field. In September 1959, I was rated outstanding for services as a No. 1 man during an internal inspection of one area of the FBI's organization.

In July 1961, I entered on duty with the Department of State and until March 15, 1964, was continuously officially assigned as an evaluator of personnel security cases. In addition I participated in management studies for the Office of Security and recommended certain internal realignment of functions, personnel, and space which resulted in greater efficiency of operation. Performance ratings attest to the satisfactory completion of my duties. As will be seen, commencing on June 27, 1963, I was detailed to lesser duties and became subordinate to a lower grade employee.

By an official personnel action effective December 24, 1963, this detail was extended with the approval of the Civil Service Commission. I was designated to the position of supervisory investigator general, GS-1810-13 in the Washington field office, Office of Security. No such available position existed and I was not permitted to fulfill its duties. Two supervisory positions in the Washington field office were already encumbered. The possibility also exists that the official personnel action was altered after approval of the detail by the Civil Service Commission.

BASIS FOR APPEAL

In May 1961, Roger Jones, then Deputy Under Secretary of State for Administration,

recognized the need for a highly trained, competent staff to fulfill a mission in the personnel security field. He approved the establishment of positions for such a group. In about June 1961, Otto F. Otepka, then Deputy Director for the Office of Security, sought my services and I became one of the original members of the group charged with fulfillment of the challenging mission approved by Mr. Jones. Under Mr. Otepka's direction, the security files of all employees of the Department of State were to be re-examined to make certain that no employee having seriously questionable allegations against him was then or would be assigned to a policymaking or influential role relating to the national security. The select group consisted of six officers including Mr. Otepka. The others were: Raymond A. Loughton; Harry M. Hite; Frank V. Gardner; Billy N. Hughes; and myself. The functioning of the group was suspended in January 1962, and has not been resumed.

In April 1962, John F. Reilly was appointed Deputy Assistant Secretary of State for Security. During Reilly's tenure, he was responsible for a series of events which affected myself and the others adversely because of our working association with Mr. Otepka. These events were highlighted by the following incidents, among others:

Mr. Reilly placed Mr. Otepka under surveillance and employed surreptitious investigative techniques against him. Subsequently Mr. Otepka, having become Chief of the Division of Evaluations because of the abolishment of his job as Deputy Director and a subsequent reduction in force, was detailed from his former position without any explanation.

Mr. Otepka was placed in a nonsupervisory position fabricated for him; denied the services of a secretary; refused necessary material, information, and files relating to personnel security; denied the right to enter into the area occupied by the Division of Evaluations; and ordered to refrain from discussing personnel security matters with employees formerly under his direction.

Concurrently with Mr. Otepka's detail, Billy N. Hughes and myself were detailed also without explanation from our positions as evaluators to the lesser duties of routine investigators. Thereafter Mr. Hughes was coerced into accepting a position as an investigator at Memphis, Tenn. This position was created for Mr. Hughes to induce his acceptance of it to circumvent his ability to perform the more demanding duties of an evaluator.

On January 23, 1964, I testified in the presence of a State Department observer in executive session before the Subcommittee on Internal Security, U.S. Senate Judiciary Committee. On that same date Mr. Thomas Ehrlich, a member of the Department's Legal Adviser's Office, contacted me in reference to my testimony. He stated that if Mr. Reilly or Mr. David I. Belisle, a former special assistant to Mr. Reilly, had again done something wrong with respect to my assignment in a lower position it should be corrected.

On January 29, 1964, I received an informal memorandum over the name of Raymond W. Laugel, then Acting Deputy Assistant Secretary for Security. This informed me of a "temporary special assignment" and instructed I return to the original position from which I was detailed on June 27, 1963. It was not until March 1964, I received an official personnel action terminating my original detail.

In September 1963, the Department of State served formal charges on Mr. Otepka. These charges alleged he engaged in conduct unbecoming an officer by furnishing classified information to the Senate of the United States. Allegations of violations of regulations of the Department were also included.

On March 15, 1963, six persons were reassigned to the Bureau of Inter-American Af-

fairs. Four of these, including myself, were original members of the group formed in May 1961 and personally selected by Mr. Otepka. The others are Raymond A. Loughton, Harry M. Hite, Frank V. Gardner, Howard J. Shea, formerly a supervisor in the Division of Investigations, and Edwin A. Burkhardt, an evaluator from the Division of Evaluations. All six have been, and continue to be, staunch in their defense of Mr. Otepka and have openly stated their strong beliefs in Mr. Otepka's innocence.

Frederick W. Traband, Joseph C. Sabin, and Norman R. Doe have remained in the Division of Evaluations. The project to which I have now been assigned in the Bureau of Inter-American Affairs was originally accepted by the Office of Security in about April 1963. These three men became most familiar with its purpose and were fully informed concerning its procedures. These men who remained in the Division of Evaluations are not known as supporters of Mr. Otepka. I have been given no information which would permit me to understand why personnel most familiar with the program were not considered and included in the reassignment of it and personnel to the Bureau of Inter-American Affairs.

Mr. Belisle was brought into the Department by Mr. Reilly to direct personnel security operations in place of Mr. Otepka. It has been brought to my attention that Raymond Laugel and Mr. Belisle personally selected the five others and myself for this reassignment which I am appealing. Mr. Laugel is a Foreign Service officer and prefers this system over the civil service merit system, with which he has had no personal experience. Mr. Belisle's Government experience has by far and large been in the accepted service.

Two other members of the Division of Evaluations, both members of the civil service system, were also considered by Mr. Laugel for reassignment to the Bureau of Inter-American Affairs. These two are not known as supporters of Mr. Otepka. It is my knowledge and belief that Mr. Belisle disagreed with the reassignment of these two persons suggested by Mr. Laugel. Consequently this reassignment included only employees under the civil service system who were supporters of Mr. Otepka.

I have been informed that in about October 1963, Mr. Belisle commented there was no place in the organization of the Office of Security for Mr. Loughton and that Mr. Hughes and Mr. Norpel would never return to the Division of Evaluations.

In about July 1963, the civil service commission's security appraisal team completed a review of the Department of State's personnel security program. In my discussions with the appraising officers I was completely truthful and candid. It is my understanding that my comments gained the disapproval of Mr. Reilly and Mr. Belisle since I was aware of deficiencies in their management of the personnel security program. I know Mr. Reilly and Mr. Belisle withheld from the appraising officers derogatory information in personnel security files.

I was questioned by Mr. Reilly concerning official assistance given to Mr. Otepka in order that he might disapprove certain statements made by Mr. Reilly under oath before the Senate Internal Security Subcommittee. Mr. Reilly attempted to discredit Mr. Otepka to me by making false and malicious statements concerning Mr. Otepka's ability and character. I subsequently testified favorably for Mr. Otepka before the Senate Internal Security Subcommittee and I disputed Mr. Reilly's evaluation of Mr. Otepka.

In November 1963, there was a public disclosure that Mr. Reilly had formally repudiated his earlier sworn testimony concerning the tapping of Mr. Otepka's telephone. Prior to that I had knowledge such a measure was taken against Mr. Otepka. I dis-

cussed this with my associates. I was critical of such tactics employed by Mr. Reilly. I believe my comments regarding such unethical practice were made known to Mr. Reilly and to Mr. Belisle.

The Federal Bureau of Investigation conducted an official investigation concerning Mr. Otepka. On July 30, 1963, I was interrogated by two special agents of the FBI. Based on their statements and line of questioning, I believe my interview was conducted at the provocation of Mr. Reilly who was of the opinion I assisted in the presentations of Mr. Otepka's defense before the Senate Internal Security Subcommittee. During my interrogation, I freely voiced by opposition to Mr. Reilly's tactics, his handling of some security cases, and volunteered deficiencies in security procedures. I assured the FBI of my complete confidence in Mr. Otepka's innocence and his determination to achieve a sound and realistic personnel security program. Since Mr. Reilly was instrumental in obtaining the FBI's investigative services, I am sure my statements were made available to him and Mr. Belisle.

On January 13, 1964, at my prior request, I received an appointment with John W. Drew, of the Office of Personnel, who was then in charge of Washington assignments. My discussion with Mr. Drew centered on my potential for advancement along administrative and managerial lines in the Department of State. Mr. Drew, in substance, informed me that the scope of my experience was too narrow to provide much of an opportunity for advancement to more responsible positions. He suggested, if this were my goal, I seek employment in a noncompetitive agency where the standards and qualifications of the managerial level were not as high as those in the Department of State.

On March 11, 1964, Mr. Drew summoned me to a meeting. Also present was Powhatan Baber, a Foreign Service Officer, and Deputy Director, Office of the Executive Director, of the area to which I was reassigned 4 days later. Mr. Drew in his comments outlined an important position for which I had been selected and implied that greater responsibilities and duties would be connected therewith. He stated I was being considered for this assignment only because of my exceptional qualifications for it. Mr. Drew assured me that I would remain in the 080 (personnel security specialist) series and a position description, yet to be devised and written, would be almost identical to the one under which I was serving in the Office of Security.

In response to specific statements I made, Mr. Drew did not explain the disparity between his present comments and those made on January 13, 1964. The alleged importance of the assignment was emphasized by Mr. Drew when he stated there was no other choice for me but to accept it.

On March 16, 1964, Mr. Drew personally delivered completed personnel actions to myself and the five other men reassigned from the Office of Security. At this time, the change in classification series was pointed out to him in the face of his earlier comments. Mr. Drew stated that regardless of this official classification designation we six individuals would remain in the 080 series for the purposes of reduction in force procedures. He was requested and declined to put this latter statement in writing. It was at this time Mr. Drew also stated one of his functions was to handle disciplinary cases involving employees of the Department of State.

Since March 16, 1964, I have received no position description; my duties and their objective in the framework of national security have not been clearly defined; and my Supervisor, Raymond A. Loughton, has agreed the duties, which have been explained to him for performance by me to date, are

comparable to ones which could be assigned clerical researchers.

On March 16, 1964, I was required to relinquish my commission card which established my bona fide as a security officer in the Department of State. It was delivered to Mason A. LaSelle, the Office of Security's Executive Officer. This surrender was made in the presence of Mr. Drew, Mr. Baber, and the five other men reassigned with me. On April 2, 1964, my commission card was returned to me with the word "cancelled" across its face.

If and when Mr. Otepka is finally afforded a hearing of the charges made against him by the Department of State, I intend to appear as a friendly witness for him. Harry M. Hite, Raymond A. Loughton and Billy Hughes, all former subordinates of Mr. Otepka in the Office of Security, also intend to appear on Mr. Otepka's behalf. These witnesses will appear in an effort to establish that the charges against Mr. Otepka are without basis and specifically the allegation that he clipped an official document is based on falsely contrived evidence created solely to harm Mr. Otepka. I know Mr. Otepka intends to show that certain qualified individuals, not selected to perform the work reassigned to me in my present assignment, conspired to manufacture evidence for use against him.

Since March 16, 1964, when I was reassigned I have been informed that associates remaining in the Office of Security have commented my reassignment was due to the fact I "carried the torch" too far and too long for Mr. Otepka. Mr. Drew and Mr. Baber assured me that G. Mervin Gentile, the recently appointed Deputy Assistant Secretary of State for Security, had no part in the transfer of five men and myself from his organization to another area. The proposed action was not discussed with him but had been approved by the former directing officials of the Office of Security whom I identified as Messrs. Belisle and Laugel.

I have also been made aware that in spite of Mr. Gentile's stated need for qualified personnel security evaluators on complex cases, he would not request the return of the six men transferred to another area because he wished to effect a reorganization free from controversial persons. In December, 1963, Billy H. Hughes and I, two qualified evaluators, were on detail to lower level positions in the Washington Field Office. The Office of Security assigned investigators from field offices outside Washington, D.C., to assist in the reduction of a backlog in the Division of Evaluations which had reached unbelievable proportions since Mr. Otepka's removal. Currently, I am informed that persons unskilled in personnel security evaluations have temporarily filled the positions I and the five other men were forced to leave and that Mr. Gentile intends to permanently encumber these positions from the ranks of investigators, many of whom have not had the pertinent education, training, or experience necessary for such duties.

SUMMARY

I respectfully submit that my reassignment does not promote the efficiency of the service. This action had its foundation based on reprisal for my close association with and outspoken defense of Otto F. Otepka. It is evident it was culminated through actions of John F. Reilly and David I. Belisle. Without explanation or adequate notice I was removed in a preemptive fashion from my chosen career as a personnel security specialist and placed in an entirely unrelated position and a field not requiring specialization.

I, with other men in my chosen field, believe in the absolute need for an effective security program in the U.S. Government.

The embarrassment caused by my removal is shared by these other sincere dedicated men in the security community. The "guilt by association" concept which the Department of State professes to openly oppose is the only basis for my degradation. My removal from the Government security program without cause has subjected me to scorn and ridicule and has caused embarrassment and anguish to my family.

Even though Mr. Reilly resigned because he lost the confidence of his superiors, Mr. Belisle continues in a position whereby he greatly affects the operations of the Office of Security. It is my belief that it was through his persuasion my reassignment occurred. The disclosed testimony of Mr. Belisle and Mr. Reilly to date has shocked the public and rendered a disservice to the entire security-intelligence community whose integrity suffered by the calculated actions of these two men. Mr. Reilly's and Mr. Belisle's testimony before the Senate Internal Security Subcommittee under oath establishes their unworthiness in matters concerning the administration of personnel security.

I also believe my reassignment is diametrically opposed to the basic defined concepts of the civil service merit system. The morale and dedication of loyal civil service employees, who by their actions evidence the high standards in which they believe, are weakened by their observation of my recent experience. If a "Code of Ethics" is to survive, it must be subscribed to by all civil service employees without fear of retaliation for telling the truth or recrimination for fulfilling a duty.

It is requested the Civil Service Commission fully investigate this matter and direct that I be restored to my former rightful position as a personnel security specialist, GS-0080-13 in the Office of Security.

Respectfully yours,

JOHN R. NORPEL, Jr.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

Mr. BROMWELL. I thank the gentleman from Iowa for his contribution.

Nqw, Mr. Speaker, our concern over this matter should be intense and it should be deep. Our interest in the protection of a good and faithful civil servant should be no less than the interest to be exercised by the other body; our interest in elimination of unworthy civil servants should likewise be no less.

Otto F. Otepka, I repeat, did not by anyone's claim give inaccurate testimony. The documents he produced for the committee were accurate and authentic. He did not breach the national security. What then has been his offense? Technically, "insubordination." I suggest, Mr. Speaker, that the question here splits in two parts. If Mr. Otepka was in fact insubordinate by the rules of the State Department, prompt, effective and supportable action should be taken by the Department. The second question, and the first in the national interest is whether the definition of insubordination currently followed by the Department of State is one which would be supported by this body, by Congress as a whole, by the people of the United States and whether it serves the Nation. Many on the floor of this House, I believe throughout the history of this House, including myself, have spoken out against the overzealous use of executive authority. Overzealous use of executive authority is usually, Mr. Speaker, I sub-

mit, defined by one word—persecution. And, if Mr. Speaker, cooperation with a duly constituted committee of this Congress in either body constitutes insubordination this is a matter in which this House must be keenly interested. By what token could this possibly be true? By what token do appointed officials including the Secretary of State and the Deputy Under Secretary of State Crockett, who brought about Mr. Otepka's transfer assume authority for calling insubordinate the release of accurate information not prejudicial to the national interest to duly authorized elected officials of the U.S. Government?

It seems to me, Mr. Speaker, that we are on the threshold—perhaps we have crossed the threshold—of a most critical area of intensely important national policy. If we are going to preserve our freedoms in the United States we had better be getting about it. If the elected officials of this Government are to be subordinate to the appointed officials in the manner in which this tyrannical chain of circumstances suggests, then the people of the United States, the Congress, the Constitution, and the courts must plainly declare it. If not, then the elected officials of this Government and in particular this Congress have the responsibility of exerting their rights to obtain the facts from the executive branch of the Federal Government whenever those facts suit the national interest, and to protect those who, in good faith, are able to provide them.

And I think, Mr. Speaker, we may serve the national interest as much with respect to Mr. Otepka in particular as we can in general by probing the policies which brought him to his present unpleasant plight. The published facts on Mr. Otepka's present condition indicate that he has been subjected to the type of opprobrious punishment which can only be directly and intentionally inflicted by persons desiring to bring him harm. What of David Bellisle? What differentiates the case of Mr. Bellisle from the case of Assistant Secretary Reilly and Mr. Elmer D. Hill? If Mr. Bellisle knew, as he has admitted, of the recording of Mr. Otepka's telephone calls, what distinguishes his case from the case of Assistant Secretary Reilly and Mr. Hill who also admitted the actual recording of those calls? The latter two have resigned by request. Mr. Bellisle has not nor has he been requested to do so. What of the six officials who have been transferred? If Mr. Otepka has done nothing wrong and if Assistant Secretary Reilly and Mr. Hill and Mr. Bellisle have in falsifying information to the Senate Internal Security Subcommittee, why have Mr. Otepka's associates been transferred? Why the continued surveillance? Why the ostracism? Why the indignity of witnessing his work? Why the indignity of not permitting him to take notes upon the work he is doing?

Mr. Speaker, the U.S. Department of State represents the United States to the rest of the world. It has been only a few weeks since this chamber rang to honest pleas for civil rights for our citizens. We are a nation which has with complete

justification proudly presented ourselves to the world as concerned with human dignity, with common decency, with a prompt recognition and enforcement of rights. It is doubly tragic in these circumstances that the case of the unfortunate Mr. Otepka should arise in our own Department of State. And it is tragic in triple measure, Mr. Speaker, that the matter lingers on without full explanation and the full satisfaction of the Congress of the United States and the American people. We should demand that explanation and that satisfaction.

THE CLIFFORD DAVIS BRIDGE

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Oklahoma [Mr. EDMONDSON] is recognized for 5 minutes.

(Mr. EDMONDSON asked and was given permission to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Speaker, acting upon the suggestion made by the Memphis Press-Scimitar, a widely circulated and influential newspaper published in Memphis, Tenn., that a name be suggested for the new bridge to be constructed across the Mississippi River in the vicinity of that city as a necessary link in the big interstate highway system, I am glad to inform the House that 16 Democratic members of the House Committee on Public Works are joining with me today in introducing individual bills authorizing this bridge to be named the Clifford Davis Bridge.

CLIFFORD DAVIS served at the right side of our distinguished colleague GEORGE FALLON from Maryland, in sponsoring the original interstate highway bill which was passed in 1956 authorizing 41,000 miles of defense highways connecting all of the capitals of this country and serving the Nation as the biggest and most useful alltime road building program in the history of the country. The Interstate Highway System designed to be completed in 1972 will cost upward of \$41 billion. CLIFFORD DAVIS served with GEORGE FALLON during the long days of hearings and finally on June 26, 1956, the bill passed the Congress. As a conferee he served with our able chairman, Charles A. Buckley, and with our other distinguished colleagues, George Fallon, John Blatnik, George A. Dondero, the late Harry McGreggor, and James Auchincloss.

In his 24 years of service in the House of Representatives, CLIFFORD DAVIS has been an effective legislator. As chairman of the Flood Control Committee of Public Works he has presided for years over long hearings before the committee. He has acted uniformly with fairness and with impartiality, and has received the commendation of public officials and private citizens who have appeared from all parts of the United States. It is not always easy to resolve controversial flood control projects. Often times there is a conflict between public hydroelectric power and the philosophy of those who believe strictly in private power systems. Often times

flood control programs are forced to remove people from their longtime residences. Likewise businesses are dislocated. The interests of all the people must be resolved. In this, Congressman DAVIS has acted with wisdom and great skill, in resolving these matters which affect individuals and businesses in all walks of life and in all sections of our great country.

CLIFFORD DAVIS has been named chairman of the Select Committee to Investigate Campaign Expenditures four times—three times by the late beloved Speaker Sam Rayburn, and one time by his good friend and leader the distinguished Speaker of the House, JOHN MCCORMACK.

He is now serving as chairman of the Select Committee on Real Property Acquisition. This Committee was named by Chairman CHARLES A. BUCKLEY at the request of the executive office of the President. For years there has been need for a full, thorough and complete examination of land acquisition practices by the Federal Government and State and municipal agencies supported in part by Federal funds. The recommendation of this committee will be made to the Congress before the conclusion of this session.

There is no more diligent nor more dedicated public servant than CLIFFORD DAVIS. He enjoys the complete confidence of the Speaker and the leadership of the House as well as a host of friends on each side of the aisle. His ability and the esteem in which he is held by his colleagues were especially recognized in his effective and successful management of the TVA self-financing bill which authorized that authority to go into the money markets of our country and to sell bonds to build steamplants to fulfill the increased demands of electric power in the TVA area. His longtime friend, our beloved colleague ROBERT JONES of Alabama, was constantly at his side during the hearings on this legislation and in CLIFFORD DAVIS' successful fight to have this bill enacted into law.

TVA today is known as one of the most efficiently operated properties of our Federal Government. His contribution to flood control and in the sale of public power is firmly established.

His successful management of this important legislation made it possible for his own city of Memphis to rejoin the TVA system which assures even cheaper electric power to that progressive and growing city and its service area.

My 16 colleagues join with me in the feeling that this action on our part is a well deserved tribute expressing in a small way our confidence and our deep affection for one of the best loved men ever to serve in this body. CLIFFORD DAVIS of Tennessee.

Mr. ALBERT. Mr. Speaker, will my colleague yield to me?

Mr. EDMONDSON. I am happy to yield to my distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I am very happy that these bills have been introduced by my colleague and other distinguished Members of the House to do honor to my friend, the gentleman from